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2	UNITED STATES	DISTRICT COURT
3	NORTHERN DISTRICT OF CALIFORNIA	
4	HAROLD A. DUTRA, JR.; JIMMY)	
5	A. DUTRA; and minor ADAM DUTRA, by and through his	
6	Guardian Ad Litem, MARGARET) DUTRA,)	
7	Plaintiffs,	No. C-95-3618 BZ
8	Pidificilis,	NO. C-93-3010 BZ
9	v.)	O
10	THE HALF MOON BAY POLICE)	Special Verdict
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13	<pre>individually and in his official capacity.)</pre>	
14	Defendants.)	
15	,	
16		
17	We, the jury, find the foll	owing special verdict on the
18	questions submitted to us:	
19	Plaintiff Harold Dutra, Jr.	
20	1. Did one or more defend	ants violate Harold Dutra, Jr.'s
21	constitutional rights?	
22	Yes: No	:
23	If your answer is yes, proc	eed to the next question. If
24	your answer is no, proceed to Qu	estion No. 5.
25	2. Did Officer Jim Pender	gast deprive Harold Dutra, Jr. of
26	his constitutional rights in vio	lation of 42 U.S.C. Section 1983?
27	Yes: No	:
28	Please proceed to the next	question.

1	3. Did Chief Dennis Wick deprive Harold Dutra, Jr. of his	
2	constitutional rights in violation of 42 U.S.C. Section 1983?	
3	Yes: No:	
4	Please proceed to the next question.	
5	4. Were Harold Dutra, Jr.'s constitutional rights violated	
6	as a result of official policies, customs, or practices existing	
7	in the Half Moon Bay Police Department?	
8	Yes: No:	
9	Please proceed to the next question.	
10	5. Did Officer Jim Pendergast intentionally inflict	
11	emotional distress on Harold Dutra, Jr.?	
12	Yes: No:	
13	If your answer is yes, proceed to the next question. If	
14	your answer is no, proceed to Question No. 7.	
15	6. In inflicting emotional distress on Harold Dutra, Jr.,	
16	was Officer Jim Pendergast acting within the course and scope of	
17	his employment?	
18	Yes: No:	
19	Please proceed to the next question.	
20	7. If you have found against either or both of the	
21	defendants on either claim, what do you find to be the total	
22	amount of compensatory damages suffered by Harold Dutra, Jr.?	
23	Amount:	
24	Please proceed to the next question.	
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1	8. If you found that Harold Dutra, Jr.'s constitutional
2	rights were violated and answered yes to Question 2, is Harold
3	Dutra, Jr. entitled to punitive damages against Officer Jim
4	Pendergast?
5	Yes: No:
6	If you answered yes, please state the amount of punitive
7	damages you award Harold Dutra, Jr. from Officer Jim Pendergast:
8	\$
9	
10	PLAINTIFF JIMMY DUTRA
11	9. Did one or more defendants violate Jimmy Dutra's
12	constitutional rights?
13	Yes: No:
14	If your answer is yes, proceed to the next question. If
15	your answer is no, proceed to Question No. 13.
16	10. Did Officer Jim Pendergast deprive Jimmy Dutra, of his
17	constitutional rights in violation of 42 U.S.C. Section 1983?
18	Yes: No:
19	Please proceed to the next question.
20	11. Did Chief Dennis Wick deprive Jimmy Dutra of his
21	constitutional rights in violation of 42 U.S.C. Section 1983?
22	Yes: No:
23	Please proceed to the next question.
24	12. Were Jimmy Dutra's constitutional rights violated as a
25	result of official policies, customs, or practices existing in
26	the Half Moon Bay Police Department?
27	Yes: No:
28	Please proceed to the next question.

1	13. Did Officer Jim Pendergast intentionally inflict
2	emotional distress on Jimmy Dutra?
3	Yes: No:
4	If your answer is yes, proceed to the next question. If
5	your answer is no, proceed to Question No. 15.
6	14. In inflicting emotional distress on Jimmy Dutra, was
7	Officer Jim Pendergast acting within the course and scope of his
8	employment?
9	Yes: No:
10	Please proceed to the next question.
11	15. If you have found against either or both of the
12	defendants on either claim, what do you find to be the total
13	amount of compensatory damages suffered by Jimmy Dutra?
14	Amount:
15	16. If you found that plaintiff Jimmy Dutra's
16	constitutional rights were violated and answered yes to Question
17	10, is Jimmy Dutra entitled to punitive damages against defendant
18	Officer Jim Pendergast?
19	Yes: No:
20	If you answered yes, please state the amount of punitive
21	damages you award Jimmy Dutra against Officer Jim Pendergast:
22	\$
23	
24	PLAINTIFF ADAM DUTRA
25	17. Did one or more defendants violate Adam Dutra's
26	constitutional rights?
27	Yes: No:
28	If your answer is yes proceed to the next question. If

_	your answer is no, proceed to guestion No. 21.
2	18. Did Officer Jim Pendergast deprive Adam Dutra of his
3	constitutional rights in violation of 42 U.S.C. Section 1983?
4	Yes: No:
5	Please proceed to the next question.
6	19. Did Chief Dennis Wick deprive Adam Dutra of his
7	constitutional rights in violation of 42 U.S.C. Section 1983?
8	Yes: No:
9	Please proceed to the next question.
LO	20. Were Adam Dutra's constitutional rights violated as a
L1	result of official policies, customs, or practices existing in
L2	the Half Moon Bay Police Department?
L3	Yes: No:
L4	Please proceed to the next question.
L5	21. Did Officer Jim Pendergast intentionally inflict
L6	emotional distress on Adam Dutra?
L7	Yes: No:
L8	If your answer is yes, proceed to the next question. If
L9	your answer is no, proceed to Question No. 23.
20	22. In inflicting emotional distress on Adam Dutra, was
21	Officer Jim Pendergast acting within the course and scope of his
22	employment?
23	Yes: No:
24	Please proceed to the next question.
25	23. If you have found against either or both of the
26	defendants on either claim, what do you find to be the total
27	amount of compensatory damages suffered by Adam Dutra?
28	Amount:

1	24. If you found that plaintiff Adam Dutra's constitutional
2	rights were violated and answered yes to Question 18, is Adam
3	Dutra entitled to punitive damages against Officer Jim
4	Pendergast?
5	Yes: No:
6	If you answered yes, please state the amount of punitive
7	damages you award Adam Dutra against Officer Jim Pendergast:
8	\$
9	
10	Dated: February,1997Foreperson
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